

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A
RIGHT-OF-ENTRY AGREEMENT WITH ASPEN VILLAGE
APARTMENTS, LLC FOR PROPERTY LOCATED AT 3043 WEST
3500 SOUTH.**

WHEREAS, Utah Department of Transportation is widening 3500 South between 2700 West and Bangerter Highway; and

WHEREAS, West Valley City requested that the overhead power lines be buried along the project, and has also agreed to share in the burial costs, and to acquire easements on private property for the burial of the overhead utility lines.

WHEREAS, Aspen Village Apartments, L.L.C. have signed an Right-of-Entry Agreement for the burial of overhead utility lines; and

WHEREAS, an agreement has been prepared for execution by and between West Valley City and Aspen Village Apartments, LLC. This agreement, entitled, "West Valley City Right-of-Entry Agreement," allows construction to proceed while negotiations continue and details of the right-of-way acquisition are resolved; and

WHEREAS, the City Council of West Valley City, Utah does hereby determine that it is in the best interests of the health, safety and welfare of the citizens of West Valley City to approve said Right-of-Entry Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City that the Right-of-Entry Agreement is hereby approved, and that the Mayor is authorized to execute said Agreement for and on behalf of West Valley City.

BE IT FURTHER RESOLVED that, upon execution of said Agreement, the Mayor is authorized to accept and the City Recorder is authorized to record said, Right of Entry Agreement for and on behalf of West Valley City.

PASSED, APPROVED and MADE EFFECTIVE this _____ day of _____, 2009.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER